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6 Attorneys for Defendant, Michele Fiore

7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 CASE NO. 2:24-cr-00155-JAD-DJA

11 Plaintiff,

12 vs.

13 MICHELE FIORE,

14 Defendant.

15 **MICHELE FIORE'S MOTION TO VACATE SENTENCING DATE DUE TO**
 16 **EXECUTIVE GRANT OF CLEMENCY**

17 Defendant, Michele Fiore, by and through her attorney, Paola M. Armeni, Esq., and Gia
 18 N. Marina, Esq. of the law firm of Clark Hill PLLC, moves this Court to Vacate the sentencing
 19 date currently set for May 14, 2025, at 1:30 p.m. due to the Executive Grant of Clemency signed
 20 on the 23rd of April 2025.

21 **MEMORANDUM OF POINTS AND AUTHORITIES**

22 The President of the United States pursuant to his powers under Article II, Section 2, Clause
 23 1, of the United States Constitution, has the authority to “grant Reprieves and Pardons for Offences
 24 against the United States, except in Case of Impeachment.” This authority may be exercised at
 25 any time after an offenses’ commission, “either before legal proceedings are taken or during their
 26 pendency, or after conviction and judgment.”¹ “If granted before conviction it prevents any of the

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 28 ¹ *Ex parte Garland*, 71 U.S. 333, 334, 18 L. Ed. 366 (1866).

1 penalties and disabilities consequent upon conviction from attaching; if granted after conviction it
2 removes the penalties and disabilities and restores him to all his civil rights.”²

3 On April 23, 2025, the President of the United States, Donald J. Trump exercised his
4 authority and granted Ms. Fiore a **full and unconditional pardon** for those offenses set forth in
5 this case. *See Exhibit A* – a true and accurate copy of the Executive Grant of Clemency.

6 For the foregoing reasons, the sentencing cannot go forward and as such should be vacated.

7 Dated this 24th day of April, 2025.

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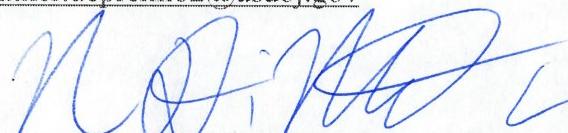
²*Ex parte Garland*, 71 U.S. 333, 334, 18 L. Ed. 366 (1866).

1 **CERTIFICATE OF SERVICE**

2 The undersigned, an employee of Clark Hill PLLC, hereby certifies that on the 24th day of April,
3 2025, I served a copy of the **MICHELE FIORE'S MOTION TO VACATE SENTENCING**
4 **DATE DUE TO THE EXECUTIVE GRANT OF CLEMENCY** via the Court's CM/ECF
5 electronic filing system addressed to all parties on the e-service list.

6 Alexander Byrne Gottfried alexander.gottfried@usdoj.gov

7 Dahoud Askar Dahoud.Askar@usdoj.gov, heather.depremio2@usdoj.gov

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9 An employee of CLARK HILL PLLC

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